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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,851	12/20/1999	BRUCE A. LEAK	MS-137856.1	2863

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EXAMINER

TRAN, HAI V

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/467,851

Applicant(s)

LEAK ET AL.

Examiner

Hai Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 4-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,3 and 23-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 08/10/2004 have been fully considered but they are not persuasive.

Applicant argues ATVEF does not specify that a receiver may assume different states.

In response, the Examiner respectfully disagrees and cites ATVEF page 5-6, section 1.1.4; see triggerReceiverObj.backChannel with different values, i.e., permanent, connected, disconnected and unavailable.

Applicant argues ATVEF does not specify that how a receiver operates on a trigger.

In response, the Examiner respectfully disagrees and cites ATVEF pages 26-33, Appendix D and E.

As to Applicant argument, "Finally, the reference neither... suggests a receiver that does not ignore a connected-content trigger, but does not immediately execute the trigger either..." the Examiner confuses and does not understand Applicant argument.

Applicant further argues ATVEF fails to suggest any type of receiver that accepts content-connected triggers while in disconnected state.

In response, the Examiner respectfully disagrees and cites ATVEF page 11, section 2.2; Transport type B and section 2.3.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 2, 3 and 23-48 are rejected under 35 U.S.C. 102(a) as being unpatentable by ATVEF (Draft, version 1.1r26 updated 02/02/99).

Claim 23, ATVEF discloses in an interactive television system that includes a receiver having customizable configuration information specifying whether the receiver is connected or disconnected (page 5, section 1.1.4 in which “triggerReceiverObj.backChannel” indicates the state of the receiver – page 6), wherein the receiver can receive both connected content that can be accessed when the receiver is connected, i.e., <url> or <http://{namespace-id}/{resource-path}> and disconnected content, i.e., <Lid://{namespace-id}/{resource-path}>, that can be accessed when the receiver is disconnected (page 7-9), a method for preventing a viewer from being interrupted by links to inaccessible connected content when the receiver is disconnected, the method comprising:

storing configuration information that can be customized to control when the receiver will filter out or execute a connected-content trigger that links to connected content, i.e., <url> or <http://{namespace-id}/{resource-path}>, wherein the receiver will only execute a connected-content trigger and thereby access the connected content when the receiver is connected (page 9, section 1.117);

receiving a connected-content trigger linking to connected content, the trigger including a connectivity value distinguishing the trigger as a connected-content trigger and specifying that the trigger should not be ignored when the configuration information specifies that the receiver is disconnected (page 12, section 2.3); and
executing the connected-content trigger only when the configuration information specifies that the receiver is connected (based on the value of the Trigger Receiver Object, see pages 5-6), wherein the configuration information can be modified to selectively control times (see page 7; [expires:*time*]) in which the receiver is connected, and wherein the connected-content trigger can be received while the receiver is connected or disconnected (pages 10-12, section 2.1-2.3).

Claim 2, ATVEF further discloses wherein disconnected content is content that does not require a bi-directional connection to a remote information store (Type A; page 11, section 2.2).

Claim 3, ATVEF further discloses wherein executing a connected-content trigger comprises at least one of establishing and maintaining a bi-directional connection to a remote information store (Type A; page 10-12, section 2.1-2.3).

Claim 24, wherein executing a connected-content trigger comprises displaying information associated with the connected-content trigger (page 26, Appendix D: Using Enhanced TV).

Claim 25, wherein executing a connected-content trigger comprises distinguishing the content trigger as a connected-content trigger based on the connectivity value (page 6 in which property "triggerReceiverObj.backChannel"

shows return value, i.e. permanent, connected, disconnected and unavailable in which the receiver is able to distinguish it).

Claim 26, as to “modifying the configuration information from specifying that the receiver is disconnected to specifying that the receiver is connected”, it is clear that configuration can be modified by receiver implementer see page 6, sect. 1.1.5.

Claim 27, as to “the configuration information is remotely modified by a third party” is further met by Script embedded in trigger enhancement (page 7, and section Script).

Claim 28, as to “wherein the configuration information is modified by a user of the receiver” is further met by ATVEF because the user must be able to configure its receiver to be connected or disconnected, see page 6, sect. 1.1.5.

Claim 29, ATVEF further discloses wherein the receiver receives and executes a connected-content trigger after the configuration information specifies that the receiver is connected (see page 5, section 1.1.4; page 10, section 2.1 and 2.2; page 14).

Claim 30, wherein the connected-content trigger is received by the receiver when the configuration information specifies that the receiver is disconnected (see page 5-6 of Trigger Receiver Object), and wherein the receiver stores the connected-content trigger at least until the configuration information specifies that the receiver is connected (see page 5, section 1.1.4; page 10, sections 2.1, 2.2 and 2.3; and page 14).

Claim 31, wherein the receiver executes the connected-content trigger at a later time when the configuration information specifies that the receiver is connected (see Trigger Receiver Object of pages 5-6 wherein the return value is “disconnected” that indicates the receiver is Not currently connected, but can connect).

Claim 32, see analysis of claim 26.

Claim 33, see analysis of claim 27 (see page 6, section 1.1.5).

Claim 34, see analysis of claim 28.

Claim 35, “wherein the configuration information is stored in a local memory of the receiver” is further met by ATVEF in order to perform as disclosed.

Claims 36, 39, and 42 are analyzed with respect to claim 23.

Claims 37, and 43 are analyzed with respect to claim 26.

Claim 38, ATVEF must have means for distinguishing connected-content triggers from disconnected content triggers in order to determine the “connected” and “disconnected” as disclosed (see Trigger Receive Object, page 5-6, section 1.1.4).

Claims 40 and 44 are analyzed with respect to claim 30.

Claims 41 and 45 are analyzed with respect to claim 31.

Claim 46, limitation “wherein the later time is an end of a delay period beginning upon receipt of the connected-content trigger” is further met by ATVEF, page 7, [expires:time].

Claim 47, ATVEF further discloses receiving a disconnected-content trigger; and distinguishing the disconnected-content trigger based on a connectivity value

associated with the disconnected-content trigger (see Trigger Receive Object, page 5-6, section 1.1.4).

Claim 48, ATVEF further discloses executing the disconnected-content trigger (see page 12, section 2.3).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is 703-308-7372. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT:ht
02/18/2005


HAI TRAN
PRIMARY EXAMINER